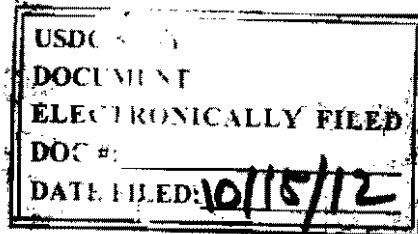


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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UNITED STATES OF AMERICA : ORDER
-v- : 11 Cr. 295 (AKH)
ALFREDO DAVIS, :
Defendant. :
----- -x

WHEREAS ALFREDO DAVIS has moved for the withdrawal of his guilty plea, and in support thereof, supplied sworn affidavits from himself and former counsel Jesse M. Siegel, Esq.,; and

WHEREAS the Government, after reviewing the motion papers, has concluded that the testimony of Jesse M. Siegel, Esq., will be needed in order to allow the Government to respond to the motion; and

WHEREAS the Court, after reviewing the motion papers, is satisfied that the testimony of Jesse M. Siegel, Esq., is needed in order to allow the Government to respond to the motion; and

~~WHEREAS by filing his sworn affidavit and the sworn affidavit of Jesse M. Siegel, Esq., recounting otherwise privileged communications with the defendant, and as indicated in Mr. Siegel's affidavit, providing written and informed consent to the disclosure of such communications, the defendant has waived~~

Adk


~~the attorney client privilege,~~

IT IS HEREBY ORDERED that Jesse M. Siegel, Esq., shall give ~~sworn testimony, in the form of an affidavit to be submitted~~ *Ad*
~~with the Government's responsive papers due October 17, 2012, or~~
live testimony on October 22, 2012, at 2:30 p.m., addressing the
allegations made by the defendant *and such other matters as may*

be relevant as proper.

IT IS SO ORDERED: *Ad*

Dated: New York, New York
October 15, 2012


HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK